Application No.: 10/002,519 Docket No.: SCEI 3.0-100

REMARKS

Applicants respectfully request reconsideration and allowance of claims 1-21 that are pending in the above-identified patent application. Applicants have amended claims 1, 2, 6, 7, 10 and 16. No new matter has been added by these claim amendments.

As an initial matter, Applicants acknowledge a telephone interview with Examiner Nguyen on March 12, 2004 regarding the Official Action mailed December 24, 2003. Applicants would like to thank the Examiner for her courtesies extended and her helpful suggestions during this interview. The Examiner agreed that clarifying the present invention to include the features of providing (1) multiple different actions to automatically overcome the same obstacle and (2) a separate action button, different than the character object movement buttons, actuated to initiate the automatic overcoming of the encountered obstacle, would distinguish over the cited prior art, and suggested making appropriate clarifying claim amendments. Such amendments are now presented.

Accordingly, reexamination and reconsideration of the above-identified application, pursuant to and consistent with 37 C.F.R. § 1.112, and in light of the remarks that follow, are respectfully requested. Because the present claims are now believed to be in condition for allowance, good cause exists for the entry of this amendment in accordance with 37 C.F.R. § 1.116.

In the Office Action, the Examiner rejected claims 1-7, 10-13 and 16-19 under 35 U.S.C. § 103(c) as being unpatentable over Koizumi et al., U.S. Publication No. 2002/0019257 ("Koizumi") in view of Naka et al., U.S. Patent No. 5,513,307 ("Naka"). The Examiner has also rejected claims 8-9, 14-15

and 20-21 under § 103(a) as being unpatentable over Koizumi in view of Naka and Kawai et al., U.S. Patent No. 6,283,861 ("Kawai"). In view of the amendments hereinabove, Applicants respectfully traverse the Examiner's rejections.

The present invention as recited in independent claims 1, 6, and 7 permits user-initiated actuation of an "action button," separate from the buttons used to control the normal movement of the character object, upon the character object encountering an obstacle object. The resultant output from actuating the action button is to select one of a plurality of automatic actions to be performed by a character object to automatically overcome the obstacle object on the display screen. In this regard, claim 1 now recites:

> detecting an output from said action button, said action button being operable to cause a character object to automatically overcome an obstacle object on said screen; and
>
> causing said character object to automatically overcome said obstacle object in accordance with one of a plurality of predetermined actions associated with said obstacle object and in response to said detecting said output from said action button when said obstacle object is approached by said character object.

Independent claim 6, to a processing system, and independent claim 7, to a program executing device, contain similar language as that provided above.

Applicants respectfully submit that the Koizumi reference, alone or in combination with Naka, fails to disclose, suggest of teach the limitations of independent claims 1, 6, or 7.

Koizumi discloses that player action is automatically taken to overcome an obstacle in accordance with the code

associated with the obstacle when the character approaches the obstacle. Koizumi states:

> [0017] According to the present invention, it is possible to cause the player object to automatically affect a required action in accordance with an action code contained in land object image data and a state of the land object. If the action code is "jump", the player object automatically jumps. Thus, the player object can easily get over an obstacle such as a hole, hollow or wall surface.

Thus, Koizumi lacks both the activating of a *separate action button* to overcome the obstacle and the ability to overcome the obstacle with *one of a plurality of predetermined actions* associated with the obstacle and in response to detecting the output from the action button when said obstacle object is approached by the character. With the present invention, the player will not simply overcome the obstacle on approach with the one action associated with the obstacle, as in Koizumi. Rather, an additional action is required (pressing the action button) which makes game play more realistic and challenging than the robotic approach of Koizumi, which requires nothing further to overcome the object other than to approach it.

In addition, Koizumi lacks the use of a plurality of automatic overcoming actions for overcoming the obstacle approached. For example, as shown in the present application in Figures 22A to 22C and the related description thereof (¶¶ 124-126), the type of action performed on a boulder 230 (*e.g.*, move the boulder or destroy the boulder) will be selected upon activation of the action button based on the type of obstacle and the overlap extent of the obstacle and character perimeter ranges. Thus, if the user activates the action button when close to the boulder (*e.g.*, perimeter range

range AD1 or AD0 of Fig. 15), the boulder will be moved to the side (Fig. 22B) instead of being destroyed (Fig. 22C). This selection of overcoming actions provides the user of the game with an ability to control how the obstacle is (automatically) overcome based on the approach of the character to the obstacle. Mistiming of selection of the action button might then slow down the game as the time for the automatic overcoming of the obstacle may increase (*e.g.*, pushing the obstacle away may take more time than destroying the obstacle).

Naka also lacks the same features discussed above that Koizumi lacks. Naka discloses a "cooperative mode" of game play (col. 18, line 54 to col. 20 line 23) wherein an obstacle is automatically overcome by a second "following" character, without the pressing of any separate action button by the second character. Such automatic overcoming of the obstacle is done as the second player merely follows a skilled first player who overcome the obstacle. The first skilled player, however, must skillfully overcome the obstacle in the traditional manner, *e.g.*, by pressing the necessary movement and action buttons in the proper sequence and/or timing. If the second, following character begins to control the movement of his character while still in the cooperative mode, the game will switch to a competitive mode wherein the following character must now try to overcome the obstacle on his own by his own skills.

Thus, even if combined, Koizumi and Naka still fail to disclose, teach or suggest the claimed features of (1) multiple different actions to automatically overcome the same obstacle and (2) a separate action button, different than

the character object movement buttons, actuated to initiate the automatic overcoming of the encountered obstacle.

Kawai, merely cited for determining whether a character object encounters an obstacle object based on a predetermined range alone a line of view, also lacks a disclosure, teaching or suggestion of the claimed features of the independent claims the present invention.

Accordingly, in view of the above remarks, and amendments to the claims, Applicants respectfully request that the Examiner withdraw the § 103(a) rejections of claims.

In view of the foregoing, Applicants submit that the instant claims are in condition for allowance and early and favorable action is earnestly solicited. If, however, for any reason the Examiner does not believe that such action can be taken at this time, she is respectfully requested to telephone Applicants' attorney at (908) 654-5000 in order to overcome any additional objections that may exist.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge our Deposit Account No. 12-1095 therefor.

Dated: March 15, 2004

Respectfully submitted,

By _____

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